

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION


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CLERK OF COURT
NORTHERN DISTRICT OF OHIO
CLEVELAND

Charles V. Snider & Associates, Inc.,)	CASE NO. 1:05 CV 1808
)	
Plaintiff,)	JUDGE DONALD C. NUGENT
)	
v.)	MEMORANDUM OPINION
)	AND ORDER
Quinn, Emanuel, Urquhart, Oliver)	
& Hedges, LLP.,)	
Defendant.)	

This matter comes before the Court upon Defendant's Motion for Summary Judgment.
(ECF # 27).

In this action, Plaintiff, a legal search firm, seeks a fee from Defendant law firm for placing an attorney with the firm. The sole issue is whether the Plaintiff was the "procuring cause" of the attorney's employment with Defendant. Resolution of this question involves questions of fact and will necessitate weighing the credibility of the testimony of one or more witnesses. Summary judgment is only appropriate where "there is no genuine issue as to any material fact and ... the moving party is entitled to a judgment as a matter of law." Fed. R. Civ. P. 56(c). As there is a genuine issue of material fact, Defendant is not entitled to judgment as a matter of law. Accordingly, Defendant's Motion for Summary Judgment is denied.

IT IS SO ORDERED.


DONALD C. NUGENT
United States District Judge

DATED: November 30, 2006